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|-------------------------------|------------------------|-----------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b>   |  |
|                               | 09/966,604             | BENVENISTE, VICTOR M. |  |
|                               | Examiner<br>Amy He     | Art Unit<br>2858      |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS**. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to amendment dated January 6, 2004.
2.  The allowed claim(s) is/are 1,3 and 5-16.
3.  The drawings filed on 06 January 2004 are accepted by the Examiner.
4.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6.  CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date 08/18/2004.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

*Anjan Deb*  
**ANJAN DEB**  
**PRIMARY EXAMINER**

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Sean Detweiler on August 17, 2004.

**In the Claims:**

- (1) Please cancel claims 2, 17, 19 and 20.
- (2) Claim 1, line 6, insert after "probe device" and before "for extracting", -- adapted for extending at least partly within the plasma chamber--.
- (3) Claim 3, line 1, replace "2" with --1--.
- (4) Please replace claim 12 with the following (since claim 12 as appeared on the amendment filed January 6, 2004 differs from the original claims. Specifically, the sentence, "a probe body... ion source; " is missing):

12. A probe assembly suitable for use with an ion source for detecting an ion in a plasma within a plasma chamber of the ion source, comprising:  
a probe body adapted for extending at least partly within the plasma chamber of the ion source;

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a focusing element coupled to said probe for generating a selected field within the probe; and

a filter coupled to said probe for filtering said ion passing through said probe and extracted from said plasma chamber.

### **REASONS FOR ALLOWANCE**

2. Claims 1, 3 and 5-16 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 1, 3 and 5-16 are allowable because none of the prior art discloses a system/probe assembly for detecting an ion in a plasma, comprising: a probe device adapted for extending at least partly within the plasma chamber; a filter coupled to the probe device for filtering ions extracted from the plasma chamber, and in the combination as claimed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy He whose telephone number is (571) 272-2230. The examiner can normally be reached on 9:30am-6pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, N. Le can be reached on (571) 272-2233. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

AH

August 18, 2004

*Anjan Deb*  
ANJAN DEB  
PRIMARY EXAMINER